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American independence, and to defeat the concession of the claims of the United States as to the fisheries. Doniol lays before us the complete text, which Sparks saw in the French archives, of Rayneval's confidential reports to Vergennes of his conferences. They contain little on American questions; but they show, as Doniol says, the scrupulous loyalty of Louis XVI and Vergennes in their conduct toward the United States. In his first conference with Lord Shelburne, Rayneval, in conformity with his instructions, declared that the recognition of the independence of the United States "without restriction" was an essential condition of negotiation, which must be considered as agreed upon; and subsequently he refused, again in conformity with his instructions, to discuss the claims of the United States to the fisheries, in regard to which he was not authorized to treat.

A collection is printed in this volume of the correspondence of Count Rochambeau from the beginning of his command in the United States to the end of the campaign in Virginia.

J. B. MOORE.

Town Life in the Fifteenth Century. By MRS. J. R. GREEN.
New York and London, Macmillan & Co., 1894.—xiv, 441, 476 pp.

A good history of English boroughs has long been needed. The works of Brady, Madox, Merewether-Stephens and Thompson are fragmentary, unscholarly or antiquated. Mrs. Green attempts, in a measure, to supply this want; her work really deals with the history of English boroughs from the Norman conquest to the close of the middle ages. In the first volume she considers the external relations of the towns to the king or manorial lord; the second is devoted mainly to the internal development of municipal government. She has made little use of the manuscripts in the town archives, but she has turned to account most of the material in print. This material, though only a fragment compared with what remains unprinted, is quite abundant, and the references in Mrs. Green's foot-notes show that during the past ten or fifteen years many of the muniments buried in local repositories have been made accessible to the historical student.

The main defect of her work is that it either presents isolated pictures of the development of particular towns, or goes to the other extreme of making broad generalizations based on meagre data. We have thus a combination of the methods and the defects of Thompson on the one hand and Merewether-Stephens on the other,

though Mrs. Green's work, as a whole, is without doubt superior to that of her predecessors. Her exaggerated statements regarding municipal independence and self-government find their refutation in the facts presented in her own pages. For example, in Chapter XII of Volume I, after dilating on the immense authority exercised by the royal warden at Dover over the Cinque Ports in taxation and other matters, and after telling how they were frequently harassed with royal inquisitions, she tries to make us believe that this complete subjection to the crown was outweighed by the right of the Ports to assemble near Romney to supervise the Yarmouth herring fair. Though she has much to say of their "democratic temper," "independence and self-government," she finally admits that "this group of favored towns does not seem to have made the slightest advance on other English boroughs, either in winning an earlier freedom or in raising a higher standard of liberty." Many of her generalizations seem to be based upon data derived from a single town; for example, the statement that when the burgher's life was over, the son who inherited his property appeared before the bailiffs within forty days to deliver up to them his father's sword and take the freeman's oath (I, 171). Again, on page 138 of the same volume, we are informed that "representatives chosen by the burghers kept one or two of the keys of the common chest, which could only be opened, therefore, with their consent"; her reference to Worcester is not an adequate basis for this general statement.

There are other questionable generalizations of much more importance regarding the development of municipal government and of guilds, which, owing to lack of space, cannot be here refuted in detail. I will content myself with a few remarks concerning Mrs. Green's most novel deduction, namely, that regarding the signification of the terms *communitas* and *burgenses*.

In the town records we find these two words used from first to last in a precise and formal manner which is most characteristic of the middle ages; each one having its own character and meaning, and neither of them invading the place of the other. As far back as the thirteenth century "the Burgesses" already appear as distinct from the commons at large, and use their title with an official and technical significance attached to the phrase which gives it a special value. The use of the word in charters and deeds seems then to denote the corporate body of citizens . . . who were represented by the official body of the town which acted in their name, and especially assumed the title of "the Burgesses." But behind this corporate body lies the "*communitas*"—a term which has a far earlier origin and a far deeper meaning. . . . It carries the mind far back to the primitive

society of householders in the ville, bound by mutual ties and protected by customary rights, which had preceded the free borough, . . . which might have its common seal separate from the mayor's seal, which held property and exercised certain powers . . . [It was] endowed with prerogatives on which neither mayor nor council dared to lay their hands. . . . Here [in Norwich] and elsewhere "*cives*" was the term used for the corporate body of citizens possessing chartered rights; while "*communitas*" stood for the citizens in another aspect, as the community which held property and enjoyed privileges by immemorial custom, before the charter of a free borough had been obtained. [II, 231-233, 368.]

We must infer from these and other passages in her book that she makes the "*burgesses*" or "*citizens*" of the thirteenth and later centuries identical with the official caste or ruling council as distinguished from the *communitas*, the commons or body of townsmen; at the same time she seems to contend that the *communitas* was not the *populus*, or mass of inhabitants.

Communitas is such an elastic term that it is dangerous to base arguments on its use in mediæval records; it is easy to juggle with the word. Almost any body of persons might vaguely be called a community then as now — whether they formed a gild, a monastery, a manorial village, an aggregation of Jews, the people of a county, the whole commons of the realm, the inhabitants of a borough or the corporation of a municipality. To support her doctrine, Mrs. Green says that in some towns there was a mayor's seal distinct from the seal of the community (*i.e.*, of the commons), but she fails to prove that the latter was not the ordinary seal used by the officials of the borough in municipal transactions; the corporate body might have different seals for different purposes. There are numerous passages in municipal records which show that Mrs. Green's distinction between *burgesses* and *communitas* is untenable. For example, in speaking of Bristol in 1312 a chronicler says: "*Obstitit communitas asserens burgenses omnes unius conditionis esse*"; here "*burgesses*" cannot mean a ruling or official caste, a narrow corporation of privileged persons. It is even easier to prove that *communitas* was often applied to the corporate body of the town; it will suffice to refer those seeking evidence on this point to the footnotes in Chapter VI of Madox's *Firma Burgi*. In the thirteenth century a borough had no official or corporative style; in transactions which concerned the whole municipality such terms as "*community*," "*men of the town*," "*citizens*" or "*burgesses*" were used interchangeably. Later in the middle ages, in towns governed by a close corporation, the term *burgenses* or *cives* was doubtless often

employed in the narrow sense of members of the ruling body, while *communitas* was often applied to the commons. In many boroughs the mass of the householders continued to retain certain rights in common lands long after the oligarchy had secured supreme power, and in some places the commons strove to regain the participation in town government of which they or their ancestors had been deprived; but there is no evidence that the commons were a quasi-corporate body possessing a common seal and a large measure of peculiar privileges, or that the term *communitas* was applied to them exclusively.

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The Talcott Papers. Correspondence and Documents (chiefly official) during Joseph Talcott's Governorship of the Colony of Connecticut, 1724-41. Edited by MARY KINGSBURY TALCOTT. Vol. I, 1724-36; Vol. II, 1736-41. Published by the Connecticut Historical Society, Hartford, 1893-94. — 800 pp.

The correspondence of a colonial governor is not usually of sufficient legal or economic consequence to call for extended notice in this review. The collections of state historical societies so often treat of local — even of family — matters, of so much more interest to genealogists and antiquarians than to historians and economists, that they have not been much used by the scientific student. The volumes before me, however, are of a different character; they contain a series of colonial papers relating to New England from 1724 to 1741, covering the official correspondence of the colony of Connecticut, not only with officers and individuals within its own borders, with governors and prominent merchants in New York, Massachusetts Bay and Rhode Island, but also with the colonial agents in London, the board of trade, the commissioners of customs, the privy council, *etc.* In addition the editor, with admirable purpose, has inserted wherever possible copies of other documents necessary for completeness. These are to be found in large numbers in the appendices. The collection becomes, therefore, a valuable body of state papers, which throw light upon an obscure period of our colonial history, and bring to knowledge issues and controversies too little appreciated by students and readers.

The period concerned was neither picturesque nor politically exciting, yet it was a period of important changes in economic environment and economic ideas. The issues dealt with in the